

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

CR 20-41 PJS/BRT

UNITED STATES OF AMERICA,

**INDICTMENT**

Plaintiff,

18 U.S.C. § 842(a)(1)

v.

18 U.S.C. § 842(a)(3)(A)

KENNETH RAY MILLER,

18 U.S.C. § 842(i)(1)

18 U.S.C. § 844(a)(1)

18 U.S.C. § 922(g)

Defendant.

18 U.S.C. § 924(a)(2)

18 U.S.C. § 924(d)

18 U.S.C. § 844(c)

18 U.S.C. § 981(a)(1)(C)

28 U.S.C. § 2461(c)

THE UNITED STATES GRAND JURY CHARGES THAT:

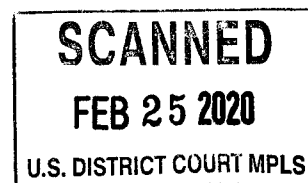
**COUNT 1**

(Manufacturing and Dealing in Explosive Material)

From at least in or about 2013 through at least on or about June 25, 2019, in the State and District of Minnesota, the defendant,

**KENNETH RAY MILLER,**

did knowingly engage in the business of importing, manufacturing, and dealing in explosive materials, as defined in Title 18, United States Code, Section 841, that is, smoke generator devices containing electric igniters and a chlorate explosive mixture, without the required license and permit, all in violation of Title 18, United States Code, Sections 842(a)(1) and 844(a)(1).



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(Transporting Explosive Materials)

From at least in or about 2013 through at least on or about June 25, 2019, in the State and District of Minnesota, the defendant,

**KENNETH RAY MILLER,**

did knowingly cause to be transported explosive materials, as defined in Title 18, United States Code, Section 841, that is, smoke generator devices containing electric igniters and a chlorate explosive mixture, without the required license and permit, all in violation of Title 18, United States Code, Sections 842(a)(3)(A) and 844(a)(1).

**COUNT 3**

(Felon in Possession of Explosives)

On or about June 25, 2019, in the State and District of Minnesota, the defendant,

**KENNETH RAY MILLER,**

having previously been convicted of the following crimes, each of which was punishable by a term of imprisonment exceeding one year:

<b>Crime</b>	<b>Date of Conviction (on or about)</b>	<b>Place of Conviction</b>
Felon in Possession of a Firearm	April 19, 1993	District of North Dakota
Conspiracy to Manufacture Explosive Materials Without a License	September 12, 1986	Northern District of Texas

and knowing he had been convicted of at least one crime punishable by imprisonment for a term exceeding one year, did knowingly possess any explosive, that is, igniters and smoke generator devices regulated pursuant to Title 18, United States Code Section 841(d) and Title 27, Code of Federal Regulations, Section 555.23, which had been shipped and

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transported in and affecting interstate and foreign commerce, all in violation of Title 18, United States Code, Sections 842(i)(1) and 844(a)(1).

**COUNT 4**

(Felon in Possession of Firearms)

On or about June 25, 2019, in the State and District of Minnesota, the defendant,

**KENNETH RAY MILLER,**

did having previously been convicted of the following crimes, each of which was punishable by a term of imprisonment exceeding one year:

<b>Crime</b>	<b>Date of Conviction (on or about)</b>	<b>Place of Conviction</b>
Felon in Possession of a Firearm	April 19, 1993	District of North Dakota
Conspiracy to Manufacture Explosive Materials Without a License	September 12, 1986	Northern District of Texas

and knowing he had been convicted of at least one crime punishable by imprisonment for a term exceeding one year, did knowingly possess, in and affecting interstate commerce, three firearms, that is a Smith & Wesson Model 19-6 revolver, serial number BHV-3563; a Winchester Model 1200, 12-gauge shotgun, serial number 188937; and a Norinco SKS Sporter, 7.62x39 rifle, serial number 02002, all in violation of Title 18, United States Code, Sections 922(g) and 924(a)(2).

**FORFEITURE ALLEGATIONS**

The allegations in Counts 1–4 are incorporated by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Sections 844(c)(1), 981(a)(1)(C), and 924(d), and Title 28, United States Code, Section 2461(c).

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1. Upon conviction of Counts 1–3 of this Indictment, the defendant shall forfeit to the United States, pursuant to Title 18, United States Code, Sections 844(c)(1) and 981(a)(1)(C), any explosive materials involved or used or intended to be used in any knowing violations of Title 18, United States Code, Section 842, as well as any property, real or personal, which constitutes or is derived from proceeds traceable to such violations.

2. Upon conviction of Count 4 of this Indictment, the defendant shall forfeit to the United States pursuant to Title 18, United States Code, Section 924(d)(1) in conjunction with Title 28, United States Code, Section 2461(c), any firearm, accessories and ammunition involved in or used in any knowing violation of Title 18, United States Code, Section 922(g), including, but not limited to, a Smith & Wesson Model 19-6 revolver, serial number BHV-3563; a Winchester Model 1200, 12-gauge shotgun, serial number 188937; and a Norinco SKS Sporter, 7.62x39 rifle, serial number 02002.

3. If any of the above-listed forfeitable property is unavailable for forfeiture, the United States intends to seek the forfeiture of substitute property as provided for in Title 21, United States Code, Section 853(p).

A TRUE BILL

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UNITED STATES ATTORNEY

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FOREPERSON